IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1027 OF 2005

IN

CRIMINAL APPEAL NO. 123 OF 2004

Shri Gulab Arjun Choudhari ... Applicant

V/s

The State of Maharashtra ... Respondents

Mr.S.B. Shetye for applicant

Mr. A.S. Shitole, APP for the State.

Coram : V.M. Kanade, J.

Dated : 05/04/2005.

P.C. :-

. The learned counsel appearing for the applicant states that the applicant is convicted for the offence punishable under section 376 of the Indian Penal Code and is sentenced to suffer R.I. for 7 years. The applicant has already undergone one year and 6 months in jail. The medical evidence shows that age of girl was 15 to 17 years with margin of three years on either sides. The doctor has given his opinion after examining the prosecutrixt that there was no external injury found on her person or on private part. It has come on record that there was enmity between the complainant and the present applicant. Taking an overall view of the matter, in my view, this is a fit case for grant of bail. The applicant be released on bail in a sum of Rs.5000/- with one or two sureties in like amount.

(V.M.Kanade,J.)